

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

EDWARD DAY, individually and on behalf of)
the class defined herein,)

Plaintiff,)

v.)

CAPITAL MANAGEMENT SERVICES, L.P.,)
d/b/a, a/k/a CAPITAL MANAGEMENT)
SERVICES, INC., CAPITAL MANAGEMENT)
SERVICES, INC. d/b/a, a/k/a CAPITAL)
MANAGEMENT SERVICES, L.P., and FFPM)
CARMEL HOLDINGS I, LLC,)

Defendants.

Case No.: 08 CV 4316

Judge Hart

AGREED MOTION FOR AN ENLARGEMENT OF TIME

Defendant, CAPITAL MANAGEMENT SERVICES ("CMS") by and through its attorneys David M. Schultz and Corinne C. Heggie pursuant to Rule 6 for its Agreed Motion for an Enlargement of Time to file its responsive pleading to plaintiff's Complaint on or before September 24, 2008, states as follows:

1. On July 30, 2008, plaintiff filed a class action Complaint against defendant alleging that defendant violated the Fair Debt Collection Practices Act, ("FDCPA").
2. Defendant was served on or about August 1, 2008. Defendant's responsive pleading is due Thursday, August 21, 2008.
3. Defense counsel was just retained and needs additional time to analyze the issues in this matter, confer with its client and prepare the appropriate response. Defense counsel is contemporaneously filing an appearance with this motion.
4. Defense counsel has discussed the additional time with counsel for the plaintiff on August 20, 2008. Plaintiff's counsel has no objection to the relief requested herein.

5. This time is not meant for the purpose of unnecessary delay and will not prejudice any party to the litigation.

WHEREFORE, Defendant, CAPITAL MANAGEMENT SERVICES, respectfully requests that this Court grant it up to and including September 24, 2008, to file its responsive pleading to plaintiff's Complaint.

Respectfully Submitted,

s/Corinne C. Heggie

One of the attorneys for Defendant

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